



STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	FINAL ORDER
	:	OF DISCIPLINE
Ann M. Laster, RN	:	
License # 26NR13824800	:	
	:	
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Ann M. Laster ("Respondent") is a Registered Professional Nurse (RN) in the State of New Jersey and has been a licensee at all relevant times.

2. Upon receipt of information that Respondent was terminated from her place of nursing employment amidst various allegations including impairment while on duty, violation of

medication administration policy, and insubordination, the Board sent Respondent a Demand for Written Statement Under Oath, to her address of record in Brown Mills, New Jersey, via regular and certified mail, seeking information regarding the incidents which led to termination of her nursing employment, her continuing education, her willingness to enter an intervention program, and other information. The letter reminded Respondent of her statutory and regulatory duty to cooperate with a Board investigation. The regular mailing was not returned. The certified letter was returned to the Board as "unclaimed". Respondent failed to reply.

3. The Board's designated intervention program, the Recovery and Monitoring Program (RAMP), notified the Board that Respondent had failed to enroll in or participate with the program.

4. On May 31, 2014, Respondent completed an online application to renew her nursing license and answered yes to the question which asked whether she completed the thirty hours of required continuing education during the June 1, 2012 - May 31, 2014 biennial period. Respondent also answered that she had completed the required one hour course on Organ and Tissue Donation.

### CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's inquiry constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct within the meaning of N.J.S.A. 45:1-21(e), and also subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Pursuant to N.J.A.C. 13:37-5.3(b), a nurse shall complete a minimum of 30 hours of continuing education per biennial period. Falsification of any information submitted on the renewal application may result in penalties and/or suspension or revocation of license. N.J.A.C. 13:37-5.3(a). Additionally, a nurse shall maintain continuing education compliance documentation for a period of four years after completion of the hours and shall submit such documentation to the Board upon request. N.J.A.C. 13:37-5.3(f).

By virtue of having failed to respond to the inquiry, Respondent is deemed to have failed to demonstrate, to the satisfaction of the Board, that Respondent completed 30 hours of required continuing education during the June 1, 2012 - May 31, 2014 biennial period. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3, which the Board deems

professional misconduct within the intendment of N.J.S.A. 45:1-21(e) and also constitutes a violation or failure to comply with a regulation administered by the Board within the intendment of N.J.S.A. 45:1-21(h). Additionally, Respondent engaged in the use or employment of dishonesty, deception, or misrepresentation within the intendment of N.J.S.A. 1-21(b) by falsely certifying on her renewal application that she had completed the required continuing education when she did not demonstrate that she did so.

Lastly, the termination of Respondent's employment based upon multiple infractions, including appearing impaired while on duty, violating medication administration policies, and being considered not safe for duty raises sufficient concern such that testing, monitoring, and evaluation are warranted, as a condition for continued or reinstated licensure, to evaluate whether Respondent's continued practice as a nurse may jeopardize the safety and welfare of the public pursuant to N.J.S.A. 45:1-22(e) and treatment may be necessary to properly discharge nursing functions pursuant to N.J.S.A. 45:1-21(f).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on June 14, 2015, provisionally suspending respondent's nursing license, and

imposing a reprimand and a total of \$750 in civil penalties. Respondent was also ordered to undergo evaluation under the auspices of the Recovery and Monitoring Program of New Jersey (RAMP). A copy of the Order was served upon respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Ms. Laster replied to the Provisional Order. She claimed that she did not receive the Board's earlier inquiry, although this inquiry had been sent by certified and regular mail to respondent's address of record, and the certified mailing was returned, unclaimed, although respondent was notified by the post office of the mailing. Ms. Laster admitted that she did not complete continuing education for the 2012-2014 licensing cycle, and she did not submit any documentation of continuing education

completed to remedy this deficiency. However, Ms. Laster did respond in full to questions posed by the Board's initial letter of inquiry. Respondent also indicated that she was willing to undergo evaluation and monitoring under the auspices of RAMP. The Board considered this matter, and determined that suspension was warranted, as respondent still had not satisfied her continuing education obligation for the 2012-2014 licensing cycle, even belatedly. The Board further determined that the reprimand and \$250 civil penalty were warranted because of respondent's failure to comply with continuing education requirements, and her misrepresentation with regard to continuing education on her 2014 renewal application. The Board also determined to impose the \$500 penalty for Ms. Laster's initial failure to respond to the Board's inquiry, which resulted in needless delay in addressing the issues raised by the termination of her employment. Further, the Board determined that in light of the circumstances that led to her resignation from New Lisbon Developmental Center in March of 2014, evaluation by RAMP was also warranted.

ACCORDINGLY, IT IS on this 19<sup>th</sup> day of November, 2015

ORDERED that:

1. Respondent's license to practice nursing is suspended until Respondent a) provides proof of completion of continuing education for each biennial renewal period beginning with June 1, 2012 until the time of reinstatement, including the one hour course on Organ and Tissue Donation. This proof shall consist of certificates of completion of the relevant courses.

2. The Board will not entertain an application for reinstatement from Respondent unless and until Respondent completes a comprehensive mental health and substance abuse evaluation under the auspices of RAMP, demonstrates that she is fit and competent to practice nursing, that she is in full compliance with any agreement with RAMP, that RAMP supports her return to practice, answers all inquiries regarding her termination of employment from New Lisbon Medical Center to the satisfaction of the Board, and demonstrates that she is up to date with her continuing education.

3. By undergoing evaluation, Respondent expressly waives any claim of privilege or confidentiality that she may have concerning RAMP reports and disclosures to the Board, and use by the Board of that information in any proceedings.

4. All costs associated with the evaluation, monitoring, and/or treatment outlined above shall be the responsibility of,

and paid directly by, Respondent.

5. A civil penalty in the total amount of seven hundred fifty dollars (\$750) is imposed upon Respondent, which includes a penalty of five hundred dollars (\$500) for failing to cooperate with a Board investigation and a penalty of two hundred and fifty dollars (\$250) for failing to timely complete continuing education. Payment shall be made by certified check or money order payable to the State of New Jersey, delivered to Leslie Burgos-Bonilla, State of Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than fifteen (15) days after the entry of this order. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

6. A reprimand is imposed on Respondent for her violation of N.J.S.A. 45:1-21(b) by providing a false answer on her renewals regarding her completion of continuing education.

7. Upon finalization of this Order, Respondent shall refrain from practicing nursing and shall not represent herself as a registered nurse until such time as her license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

NEW JERSEY STATE BOARD OF NURSING

*Patricia Murphy PhD APN*

By: \_\_\_\_\_

Patricia Murphy, PhD, APN  
Board President